



TPW 1617

PTO/SB/21 (04-04)

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FORM

(to be used for all correspondence after initial filing)

| | | | |
|--|--|------------------------|------------------|
| | | Application Number | 10/057,629 |
| | | Filing Date | January 25, 2002 |
| | | First Named Inventor | Harry R. DAVIS |
| | | Art Unit | 1617 |
| | | Examiner Name | San Ming R. HUI |
| Total Number of Pages in This Submission | | Attorney Docket Number | CV01382K |

ENCLOSURES (Check all that apply)

- Fee Transmittal Form
 Fee Attached
 Amendment/Reply
 After Final
 Affidavits/declaration(s)
 Extension of Time Request
 Express Abandonment Request
 Information Disclosure Statement
 Certified Copy of Priority Documents
 Response to Missing Parts/
Incomplete Application
 Response to Missing Parts
under 37 CFR 1.52 or 1.53

- Drawing(s)
 Licensing-related Papers
 Petition to Reinstate
 Petition to Convert to a
Provisional Application
 Power of Attorney, Revocation
Change of Correspondence Address
 Terminal Disclaimer
 Request for Refund
 CD, Number of CD(s) _____

- After Allowance communication
To Technology Center (TC)
 Appeal Communication to Board
Of Appeals and Interferences
 Appeal Communication to TC
(Appeal Notice, Brief, Reply Brief)
 Proprietary Information
 Status Letter
 Other Enclosure(s) (please
identify below)

Remarks

Partially translated reference

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | |
|-------------------------------|--------------------|
| Firm Or Individual name | Ann M. Cannoni |
| Signature | |
| Date | September 22, 2006 |

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

| | |
|-----------------------|--------------------|
| Typed or printed name | Lisa A. Miller |
| Signature | |
| Date | September 22, 2006 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. If you need assistance in completing this form, call 1-800-PTO-9199 and select option 2.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | | |
|---------------|--|---|---------------------------|
| Applicant(s): | Harry R. DAVIS et al. | : | Group Art Unit: 1617 |
| Serial No.: | 10/057,629 | : | Examiner: San Ming R. HUI |
| Filed: | January 25, 2002 | : | Case No.: CV01382K |
| For: | Use of Substituted Azetidinone Compounds for the Treatment of Sitosterolemia | : | Date: September 22, 2006 |

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant respectfully request that the following be considered and made of record, as well as the documents listed on the accompanying PTO Form 1449.

The commissioner is authorized to charge Deposit Account 23-0650 for any additional fees deemed necessary for consideration and entry of this Information Disclosure Statement into the file record.

(a) Pursuant to the duty of disclosure under 37 C.F.R. § 1.56, it is requested that the documents listed on the accompanying Form PTO-1449 be considered and made of record in the above-identified patent application. A copy of this document is enclosed were filed in related U.S. Application No(s) _____ filed _____, respectively.

(b) No fee is believed to be due because:

- This Information Disclosure Statement is being submitted concurrently with the filing of the above-identified application; or
- This Information Disclosure Statement is being submitted within three (3) months of the filing date of the above-identified application; or
- This Information Disclosure Statement is being submitted concurrently with a Request for Continued Examination (RCE); or
- This Information Disclosure Statement is being submitted prior to the mailing of a first Office Action on the merits.

(c) This Information Disclosure Statement is being submitted before the mailing date of any final action, notice of allowance, or an action that otherwise closes prosecution; and:

- Each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or

- No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in § 1.56(c), more than three months prior to the filing of this Information Disclosure Statement; **or**
 - The Commissioner is hereby authorized to charge the requisite fee listed on the attached Fee Transmittal Sheet.
- (d) This Information Disclosure Statement is being submitted on or before the payment of the issue fee; and:
- Each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; **or**
 - No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in § 1.56(c), more than three months prior to the filing of this Information Disclosure Statement; **and**
 - The Commissioner is hereby authorized to charge the requisite fee listed on the attached Fee Transmittal Sheet.
- The Commissioner is hereby authorized to charge any additional fees which may be required for this Information Disclosure Statement, or credit any overpayment to Deposit Account No. 23-0650.

The Webb Law Firm

Respectfully submitted,



Ann M. Cannon
Reg. No. 35,972

Dated: September 22, 2006

The Webb Law Firm
436 Seventh Avenue
700 Koppers Building
Pittsburgh, PA 15219
Telephone No.: (412) 471-8815
Facsimile No.: (412) 471-4094

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Effective on 12/08/2004.
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818)

FEE TRANSMITTAL

For FY 2005

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 180.00)

| <i>Complete if Known</i> | |
|--------------------------|------------------|
| Application Number | 10/057,629 |
| Filing Date | January 25, 2002 |
| First Named Inventor | Harry R. DAVIS |
| Examiner Name | San Ming R. HUI |
| Art Unit | 1617 |
| Attorney Docket No. | CV01382K |

METHOD OF PAYMENT (check all that apply)

Check Credit Card Money Order None Other (please identify): _____

Deposit Account Deposit Account Number: 23-0650 Deposit Account Name The Webb Law Firm

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

 Charge fee(s) indicated below Charge fee(s) indicated below, except for the filing fee Charge any additional fee(s) or underpayments of fee(s)
under 37 CFR 1.16 and 1.17 Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

| <u>Application Type</u> | <u>FILING FEES</u> | | <u>SEARCH FEES</u> | | <u>EXAMINATION FEES</u> | | |
|-------------------------|---------------------|-----------------|---------------------|-----------------|-------------------------|-----------------|-----------------------|
| | <u>Small Entity</u> | <u>Fee (\$)</u> | <u>Small Entity</u> | <u>Fee (\$)</u> | <u>Small Entity</u> | <u>Fee (\$)</u> | <u>Fees Paid (\$)</u> |
| Utility | 300 | 150 | 500 | 250 | 200 | 100 | _____ |
| Design | 200 | 100 | 100 | 50 | 130 | 65 | _____ |
| Plant | 200 | 100 | 300 | 150 | 160 | 80 | _____ |
| Reissue | 300 | 150 | 500 | 250 | 600 | 300 | _____ |
| Provisional | 200 | 100 | 0 | 0 | 0 | 0 | _____ |

2. EXCESS CLAIM FEESFee Description

Each claim over 20 (including Reissues)

Small EntityFee (\$) 50 Fee (\$) 25

Each independent claim over 3 (including Reissues)

200 100

Multiple dependent claims

360 180

| <u>Total Claims</u> | <u>Extra Claims</u> | <u>Fee (\$)</u> | <u>Fee Paid (\$)</u> | <u>Multiple Dependent Claims</u> |
|---------------------|---------------------|-----------------|----------------------|--|
| - 20 or HP = 0 | x | = 0 | | <u>Fee (\$)</u> 0 <u>Fee Paid (\$)</u> 0 |

HP = highest number of total claims paid for, if greater than 20

| <u>Indep. Claims</u> | <u>Extra Claims</u> | <u>Fee (\$)</u> | <u>Fee Paid (\$)</u> |
|----------------------|---------------------|-----------------|----------------------|
| - 3 or HP = 0 | x | = 0 | |

HP = highest number of independent claims paid for, if greater than 3

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

| <u>Total Sheets</u> | <u>Extra Sheets</u> | <u>Number of each additional 50 or fraction thereof</u> | <u>Fee (\$)</u> | <u>Fee Paid (\$)</u> |
|---------------------|---------------------|---|-----------------|----------------------|
| - 100 = | / 50 = | (round up to a whole number) | x | = |

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Information Disclosure Statement FeeFees Paid (\$)

180.00

SUBMITTED BY

| | | | |
|-------------------|---|---|------------------------|
| Signature |  | Registration No. (Attorney/Agent) 35,972 | Telephone 412-471-8815 |
| Name (Print/Type) | Ann M. Cannon | Date | 09-22-2006 |

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



| | | |
|---|--------------------------|------------------|
| <p>Substitute for form 1449</p> <p>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</p> <p><i>(Use as many sheets as necessary)</i></p> | Complete if Known | |
| | Application Number | 10/057,629 |
| | Filing Date | January 25, 2002 |
| | First Named Inventor | Harry R. DAVIS |
| | Art Unit | 1617 |
| | Examiner Name | San Ming R. HUI |
| Sheet 1 of 1 | Attorney Docket Number | CV01382K |

NON PATENT LITERATURE DOCUMENTS

| | | | |
|-------------------------------|--|----------------------------|--|
| Examiner Signature | | Date Considered | |
|-------------------------------|--|----------------------------|--|

***EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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